

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION**

**JAMIE STORER, et al.,**)  
Plaintiffs,)  
v.)  
**WAL-MART STORES, INC., et al.,**)  
Defendants.)  
)

## **OPINION AND ORDER**

This case was removed to this Court from the Allen Superior Court by Defendant Federal Express Corporation based on diversity jurisdiction pursuant to 28 U.S.C. § 1332(a).<sup>1</sup> (Docket # 2.) Pursuant to this Court’s Order dated June 5, 2007, Federal Express filed a Supplement to its Notice of Removal, which states: “The Plaintiffs Jamie Storer and Pepper Storer, upon information and belief, are, and were at the commencement of this action, citizens of the State of Indiana. (Supplement to Notice of Removal ¶ 3.)

Defendant's Supplement to its Notice of Removal, however, is still inadequate. As stated in this Court's June 5, 2007, Order, “[a]llegations of federal subject matter jurisdiction may not be made on the basis of information and belief, only personal knowledge.” *Yount v. Shashek*, No. Civ. 06-753-GPM, 2006 WL 4017975, at \*10 n.1 (S.D. Ill. Dec. 7, 2006) (citing *Am.’s Best Inns, Inc. v. Best Inns of Abilene, L.P.*, 980 F.2d 1072, 1074 (7th Cir. 1992)); *Ferolie Corp. v. Advantage Sales & Mktg., LLC*, No. 04 C 5425, 2004 WL 2433114, at \*1 (N.D. Ill. Oct. 28, 2004); *Hayes v. Bass Pro Outdoor World, LLC*, No. 02 C 9106, 2003 WL 187411, at \*2 (N.D.

<sup>1</sup> Defendant Wal-Mart Stores, Inc., consents to Federal Express Corporation's removal of this action. (Notice of Removal ¶ 6.)

Ill. Jan. 21, 2003); *Multi-M Int'l, Inc. v. Paige Med. Supply Co.*, 142 F.R.D. 150, 152 (N.D. Ill. 1992).

Therefore, Defendant Federal Express Corporation is again ORDERED to supplement the record within seven days to properly state the citizenship of each Plaintiff.

SO ORDERED.

Enter for this 15th day of June, 2007.

/S/ Roger B. Cosby

Roger B. Cosby,  
United States Magistrate Judge